

GOVERNMENT OF ANDHRA PRADESH  
A B S T R A C T

SUITS –LA – SRSP– Warangal District – Hanmakonda (Village and Mandal) -  
O.P.No.72/97 - Sanction of decretal charges of **Rs.44,07,238/-** Orders – Issued.

IRRIGATION & CAD (PW.LA.III.A1) DEPARTMENT

G.O.RT.NO. 112

DATE:08.02.2010

Read:

- 1) From the Special Collector, LA, SRSP, SSP & JCRGLIP, Hyd.Lr.No. E2/2042/2009, dated:27.12.2009.
- 2) From the Secy.to CCLA, AP, Hyd Lr.No.SRP2/1126/09, dt:25.01.09.

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O R D E R:

The Secretary to the Chief Commissioner of Land Administration, Andhra Pradesh, Hyderabad has submitted the proposals for sanction of decretal charges in respect of O.P.No.72/97 pertaining to Hanmakonda (Village and Mandal) of Warangal District. The then SDC, LA, SRSP Stage-I & II, Unit-II, Warangal has acquired land an extent of Acs.3.05 gts for excavation of Kakatiya Canal in the limits of Hanmakonda (V&M) of Warangal District vide Award No.7/94-95, dt:19.05.1994 by fixing the market value @Rs.75,000/- per acre. The awardees have filed petitions U/s.18 of L.A.Act. The Court of Principal Civil Judge, Warangal vide judgment and decree dt:02.01.1988 has enhanced the market value of the acquired land @Rs.60/- per square yard. Aggrieved with the order of the Civil Court, the State has preferred an appeal. The Hon'ble High Court in its order and judgment dt:15.03.1999 in CMP 5592/99 in A.S.No.694/99 has passed interim orders to deposit 50% of the decretal amount. In this case, the claimants have filed an E.P.No.11/99 for non-payment of 50% decretal amount in time. The Interim stay granted has been lapsed and the E.P.No.11/99 is an operation. Finally, the Hon'ble High Court in its order and decree dt:16.04.2004 while modifying the decree of the reference court and partly allowed the appeal ordered dt:02.01.1988. Accordingly, an amount of Rs.3,67,308/- towards entire enhanced decretal amount was deposited to the credit of O.P.No.72/897 vide Cheque bearing No.SRSP 045372, Dated:18.02.2006. Aggrieved with the orders of the High Court, the Claimants have filed SLP before the Supreme Court.The Division Bench of Supreme Court of India in their order allowed the decree in part and ordered as follows vide CMP No.2683/07, dt:17.05.2007 that additional interest @15% per annum on the amount awarded in terms of award dt:02.03.1999 for the period 16.03.1979 till 22.12.1991 should be granted.

2) After careful examination of the matter, Government hereby accord sanction for an amount of **Rs.44,07,238/- (Rupees Forty four lakhs seven thousand two hundred and thirty eight only)** in respect of O.P.No.72/97 pertaining to Hanmakonda (Village and Mandal) of Warangal District subject to verification whether the reference under section 18(1) of the L.A.Act is made to the Lower Court after following all the guidelines/directions on the subject and in case it is detected that Section 18 reference was made contrary to the rules/guidelines issued by the Government/ Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad immediate action should be taken to recover the loss sustained by the Government from the staff concerned and filing of restitution petition and also subject to confirmation of the Chief Engineer as to the extent of land acquired. Further, the Special Collector should verify the calculations made by the Land Acquisition Officer once again thoroughly with reference to the decree and instructions issued by the Government/Special Chief Secretary to Government and Chief Commissioner for Land Administration, Andhra Pradesh, Hyderabad on the subject from time to time duly deducting the Income Tax as per rules before depositing the amount in Lower court.

(PTO)

3) The Special Collector, LA, SSP & JCRGLIP, Hyderabad is directed to follow the directions issued by the Hon'ble High Court on 30.04.2007 in W.P.No.2181 of 2005 in disbursement of the above sanctioned decretal charges to the rightful claimants in respect of O.P.No.72/97 for avoiding intervention of the middleman.

4) The expenditure sanctioned in para (2) above, shall be debitible to the following Head of Account under "2701 – Capital Out Lay – M&MI-01 – Major Irrigation - Commercial – M.H.116 – Sriramsagar Project - G.H (11) Normal State Plan – Schemes included in the Plan - S.H (27) Canals & Distributaries – 530 - Major works – 532 – Lands (charged). In case, the available budget provision is not sufficient to meet the present requirement, the expenditure shall be met initially by way of advance from contingency fund subject to surrendering an equal amount from voted grant.

5) This order issues with the concurrence of Finance (Works&Projects) Department vide their U.O.No.4868/F4(2)/2009-1, dated:22.12.2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ADITYA NATH DAS  
SECRETARY TO GOVERNMENT

To

The Secretary to the CCLA, A.P., Hyderabad.

The Special Collector, LA, SSP, JCRGLIP, Tarnaka, Hyderabad.

The Special Deputy Collector, LA Unit-I, SRSP Stage I&II, Warangal.

The Administrative-cum-Chief Engineer, SRSP, M.J.Road, Hyderabad

The Director of Works Accounts, SRSP, Hyderabad.

Copy to: P.S. to Minister (M& MI).

Finance (W&P) Department/File C.No.32404/LA-III(A1)/2009

SF/SCs

//FORWARDED::BY ORDER//

SECTION OFFICER